

THE HON'BLE SRI JUSTICE BILAL NAZKI
and
THE HON'BLE SRI JUSTICE S.ANANDA REDDY

WRIT PETITION NO.26894 OF 2005

Date:20th December, 2005

Between:

M/s Sun Aluminium Extrusions Petitioner

And

The Commissioner of Customs &

Central Excise, Hyderabad –II

and another ...Respondents

THE HON'BLE SRI JUSTICE BILAL NAZKI
and
THE HON'BLE SRI JUSTICE S.ANANDA REDDY

WRIT PETITION NO.26894 OF 2005

-

-

O R D E R (Per the Hon'ble Sri Bilal Nazki, J):

-

-

Heard learned counsel for the petitioner and also learned Assistant Solicitor General.

This writ petition has been filed against the order of the Commissioner of Customs &

Central Excise, Hyderabad-II Commissionerate, mainly on the ground that the Bench of Customs, Excise & Service Tax Appellate Tribunal at Bangalore is not functioning as there are no Officers.

Last time, when this case came up for admission, we directed learned Assistant Solicitor General to get instructions. On instructions, he submitted that as the technical member was somewhere busy in Chennai, the Bench would be functional from 1st of January, 2006. Therefore, the appeal filed by the petitioner against the order of the Commissioner can be taken up after 1st of January, 2006.

In this view of the matter, as the goods of the petitioner are not perishable in nature, therefore, in our view, the ends of justice would be met if a direction is given to the Tribunal to dispose of the stay application of the petitioner by or before 15th January, 2006.

With this direction, the writ petition is disposed of. No order as to costs.

(Bilal Nazki, J)

20th December, 2005

(S.Ananda Reddy,J)

-

-

vrn